

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Appeal to the Board of Patent Appeals and Interferences

APPLICATION

In re PATENT APPLICATION of

Inventor(s): ZEICHER

Appln. No.: 08

Series Code ↑

807,500

Serial No. ↑

Filed: February 27, 1997

Title: NUCLEOTIDE SEQUENCE FOR TREATING CANCER...

Group Art Unit: 1635

Examiner.: S. McGarry

Atty. Dkt. PM 236007

M#

Date: September 9, 1999

Asst. Commissioner of Patents
and Trademarks
Washington, D.C. 20231



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Sir:

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated March 9, 1999 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. ☐ **BRIEF** on appeal in this application attached in triplicate.
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☒ "Small entity" verified statement filed: ☐ herewith. ☒ previously.

6. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd, see box 12 below <u>first</u> and decide:.....enter	\$300/150*	\$150 119/219
If box 2 above is X'd, see box 12 below <u>first</u> and decide:.....enter	\$300/150*	\$0 120/220
If box 3 above is X'd, see box 12 below <u>first</u> and decide:.....enter	\$260/130*	\$0 121/221
If box 4 above is X'd,enter nothing	- 0 - (no fee)	
7. Original due date: June 9, 1999		
8. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached.	(1 mo)	\$110/\$55 115/215
	(2 mos)	\$380/\$190 116/216
	(3 mos)	\$870/\$435 117/217
	(4 mos)	\$1360/\$680 +435 118/218
9. Enter any previous extension fee paid <input type="checkbox"/> previously since above original due date (item 7); <input type="checkbox"/> with concurrently filed amendment.....		-
10. Subtract line 9 from line 8 and enter: Total Extension Fee		+435
11. TOTAL FEE ATTACHED =		\$585

12. ☐ *Fee **NOT** required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits.

(Our Deposit Account No. 03-3975)

(Our Order No. 70401 236007)

C#

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CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

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01 FC:219
02 FC:217

150.00
435.00

Pillsbury Madison & Sutro LLP
Intellectual Property Group

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments